GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue (State Tax) Department- Allegation of corruption of demand and acceptance of bribe by Sri Ailuri Venkata Narsi Reddy, formerly Dy.CTO, O/o CTO, Auto Nagar Circle, Vijayawada-II Division Trapped on 19-01-2013 - Sanction of Prosecution under prevention of Corruption Act, 1988 - orders issued- Withdrawal of prosecution and to initiate Departmental action – Orders - issued.

Revenue (Vig.VI) Department

G.O.Ms.No.516 **Date:02/11/2023**

Read the following:

Ref: -1.Radio message 22-01-2013 from DSP., ACB., Vijayawada.
2.Rc No.12/RCT-VK-1/13-S9, dt.31-01-2014 from DG., ACB,AP.
3.G.O.Ms.No.143, Revenue (Vig.I) Dept., dated 21-04-2014.
4. Representation received from Sri A.V. Narsireddy. DCTO (Revisions), dt:21.10.2021.

&&&&

O R D E R: -

In the reference 2nd read above, the Director General of the Anti Corruption Bureau, Hyderabad has submitted the final report stating that a trap case was registered in Cr No. 03/RCT-ACB-VJA/2013, dt. 19-1-2013 against Sri A. Venkata Narsi Reddy, Deputy Commercial Tax Officer (DCTO- 2) (AO-1) and Sri Y. Haranath Babu, Senior Assistant (AO-2) O/o the Commercial Tax Officer, Auto Nagar, Vijayawada based on the complaint of Sri Y.S. Jitendra Babu for doing an official favour of handing over the purchase and sale bill files of M/s Chandan Enterprises, Vijayawada after completion of audit and payment tax dues and they were trapped on 19-1- 2013. The DG, ACB has further stated that the oral and documentary evidence available on record is sufficient to substantiate the allegation of demand and acceptance of bribe of Rs. 15,000/- of Accused officer. The D.G., ACB has recommended to Prosecute Sri A. Venkata Narsi Reddy, Deputy Commercial Tax Officer (DCTO) U/s 7 and 13(1) (d) r/w 13(2) of the P.C Act, 1988 and Sri Y. Haranath Babu, Senior Assistant U/s 12 of the P.C Act, 1988. The DG, ACB has further informed that no sanction order is required from the Government to prosecute Sri Y. Haranath Babu, Senior Assistant (AO-II) O/o CTO, Auto Nagar, Vijayawada as the AO-II is retired from service on attaining the age of superannuation.

2. In the reference 3rd read above, Government have issued orders to prosecute the Accused Officer Sri A. Venkata Narsi Reddy, Deputy Commercial Tax Officer (DCTO) in a Court of Law.

3. In the reference 4th read above, Sri A.V. Narsi Reddy, DCTO (Revisions), O/o. the JC(ST), Vijayawada-I Division in his representation dt. 21.10.2021 has submitted the following:-

"On 31.12.2012 itself the order of assessment was passed and on 16.01.2013 the order of penalty was also passed both orders were uploaded in Commercial Taxes Departmental portal and by 17.01.2013 the tax and penalty was also paid by the defecto complainant by remitting the same in the Treasury. As such the question of his making favour or dis- favour to the defecto-complainant regarding levy of tax on 18.01.2013 i.e., the date of complaint to ACB authorities is not possible, because the entire process that must be done by him is completed by 16.01.2013 itself and there is nothing pending with him for making any illegal demand. Therefore, there is no favour pending to do to the complainant to demand the bribe.

Regarding demand for return of the sale and purchase bills file: The file (Account Books including Sale and purchase bills) was returned to the accountant of the defacto complainant who is Mr. Satya Keerthi on 31.12.2012 itself, immediately

after verification. Further, on 31.12.2012 the defacto complainant also orally accepted his no objection for imposition of tax and penalty, basing on which the assessment order was passed. Therefore, the allegation made on 18-01-2013, that the account books are retained to gain the favour from the complainant is far from the facts that on this date no work relating to complainant is pending with him". He has prayed the Government for withdrawal of prosecution sanction order issued in the reference 3rd read above.

4. Government, after careful examination of the matter and keeping in view of the submissions made by the Accused Officer in his representation, have decided and hereby withdrawn the sanction for prosecution orders issued in G.O.Ms.No.143, Revenue (Vig.I) Dept., dated: 21-04-2014 in which charge sheet has been field in 2014 before the Hon'ble Court of III Additional District and Session Judge cum Special Judge for ACB Case, Vijayawada and to initiate departmental action against the Accused Officer Sri Ailuri Venkata Narsi Reddy, formerly Dy.CTO, O/o.CTO, Auto Nagar Circle, Vijayawada-II Division.

5. The Director General, ACB, AP, Vijayawada shall take necessary further action to withdraw the prosecution and to initiate departmental action under Rule-20 of A.P.C.S(CC&A) Rules, 1991 against Sri Ailuri Venkata Narsi Reddy, formerly Dy.CTO, O/o.CTO, Auto Nagar Circle, Vijayawada-II Division.

N GULZAR
SECRETARY TO GOVERNMENT

To
The Director General, ACB, AP, Vijayawada.
The Chief Commissioner (State Tax) Andhra Pradesh, Kunchanapalli,
Guntur District.
Copy to
The Vigilance Commissioner, the APVC, Velagapudi,
The Public Prosecutor for SPE & ACB Cases, Vijayawada.
Sc/Sf

//FORWARDED :: BY ORDER//

K. Sreenu
SECTION OFFICER